

Grey District Council Responsible Freedom Camping Bylaw 2020

**This bylaw was adopted by the Grey District Council
on 8 December 2014 and amended on 26 November 2020
following consideration of submissions received
as part of the Special Consultative procedure**

GREY DISTRICT COUNCIL RESPONSIBLE FREEDOM CAMPING BYLAW 2020.

EXPLANATORY NOTE

The Grey District Council makes this Bylaw pursuant to the powers contained in Sections 11 to 14 of the Freedom Camping Act 2011.

The amendments incorporated in this Bylaw are intended to comply with the requirements of the Freedom Camping Act 2011 and provide Council with the ability to implement the Infringement provisions of that Act. Grey District Council strongly encourages visitors and travellers using mobile and other temporary accommodation e.g. campervans, caravans, tents etc, to use licensed camping grounds (See Schedule 3).

It is recognised that many such campers bring economic and social benefits to the areas they visit, and their continued custom is to be encouraged.

This bylaw aims to balance the needs and expectations of the local community with those of responsible freedom campers.

1.0 TITLE AND DATE OF COMING INTO FORCE

This bylaw shall be known as the 'Grey District Council Responsible Freedom Camping Bylaw 2020.

This bylaw shall come into force as soon as finally confirmed by Council after having followed the process prescribed by Section 157 of the Local Government Act 2002.

2.0 PURPOSE OF BYLAW

The purpose of this bylaw is to:

- Protect, promote and maintain public health and safety and protection of the environment by regulating responsible freedom camping on Council property within the District; and
- To allow responsible freedom camping on Council land (Local Authority Area) except in those areas defined as 'prohibited' or 'restricted', subject to conditions outlined in this bylaw.

3.0 DEFINITIONS AND INTERPRETATION

In this Bylaw:

Act	means the Freedom Camping Act 2011.
Camping Ground	means: <ul style="list-style-type: none">• a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; and• any site at which a fee is payable for camping at the site
Council	means the Grey District Council.
Duly Authorised Officer	means any person formally approved to administer the requirements of the Bylaw on Council's behalf.
Enforcement Officer	means a person appointed by the Grey District Council as an enforcement officer under the Act.

Freedom Camp	means to camp on Council controlled land (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following: <ul style="list-style-type: none"> • a tent or other temporary structure, • a caravan, • a car, campervan, house truck, or other motor vehicle.
Freedom Camping	has a corresponding meaning, but does not include: <ul style="list-style-type: none"> • temporary and short-term parking of a motor vehicle: • recreational activities commonly known as day-trip excursions: • resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.
Local Authority Area	has the same meaning as in Section 6 of the Freedom Camping Act 2011
Mobile accommodation	means temporary accommodation that is movable or transportable.
Night	means the period between 8pm and 7am or any part thereof.
Responsible Freedom Camping	means to camp on Council controlled land in a vehicle and maintaining the self-Contained conditions at all times.
Restricted Area	means a parking area or marked parking space identified within the areas in Schedule 2 of this Bylaw and indicated by signs erected in the area where camping is permitted subject to any restrictions and conditions.
Self-Contained	means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of the occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste; and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001, and the availability on request of the associated self-containment certificate; and the toilet facility must be readily usable within the vehicle including sufficient head and elbow room at all times, even with the bed made up.
Waste	means any kind of waste, including human waste.

5.0 LOCAL AUTHORITY AREAS WHERE RESPONSIBLE FREEDOM CAMPING IS PERMITTED

1. Responsible Freedom camping is permitted in any Local Authority Areas unless it is prohibited in an area—
2. in accordance with this bylaw; or
3. under any other enactment.

These General Restrictions apply in all Local Authority Area.

1. All responsible Freedom Camping is restricted to Certified Self-contained Vehicles.
2. Except where this Bylaw provides for a lesser period, no person may freedom camp for more than 2 nights in any four-week consecutive period in any one area or within 500 metres of that area.

3. On-board storage tanks must be emptied on a regular basis in the prescribed, hygienic fashion at a Council approved dump point. See Schedule 3 of this bylaw for dump stations and public toilet locations.
4. Household rubbish must be disposed of in a Council approved disposal facility.
5. Vehicles must park within defined spaces or within identified parking areas, whichever is present. One vehicle per space.
6. No use of public facilities to; wash dishes; wash clothes; dry clothes; bathe; except for facilities designated for that purpose. Advisory Note: Public facilities include public toilets, water taps (except for collecting water), flora and structures e.g. fences, signs and bollards.
7. All personal effects must be kept within the vehicles.
8. A "self-containment warrant" sticker must be placed on the inside left front window in accordance with NZS 5465:2001 and all subsequent updates of the standard.
9. The number of persons associated with the vehicle must not exceed that specified in the Self-Containment Certificate and "warrant".
10. All camping sites must be left in a clean and tidy condition.
11. Camping must not block or hinder any public or private access.
12. Notwithstanding the requirements of any other clause of this part of the bylaw, a person shall not, in any public place, light any fire except at fireplaces specially provided, or in an appliance designed for outdoor cooking; subject to any restriction imposed by Council on the lighting of fires.

6.0 THE PROHIBITED AREAS

No person may Freedom Camp in any prohibited area identified in Schedule 1 of this Bylaw.

No person may Freedom Camp in any place defined as a Public Place in the Grey District Council Introductory Bylaw, which utilises the Public Place definition in section 147 (a) of the Local Government Act 2002.

7.0 EXCEPTIONS

Exceptions to Clauses 5.0, 6.0, and above may be made to allow special events to be held on local authority land, subject to approval by Council.

8.0 OFFENCES

[Excerpt from Section 20 of the Freedom Camping Act 2011 (Sections 1(f) to 1(m) have not been included as they relate only to conservation land)]

- 1) Every person commits an offence who—
 - a) freedom camps in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area; or
 - b) while freedom camping in a local authority area,—
 - i) interferes with or damages the area, its flora or fauna, or any structure in the area; or
 - ii) deposits waste in or on the area (other than into an appropriate waste receptacle); or
 - c) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area; or
 - d) deposits waste, generated while freedom camping, in or on a local authority area other than into an appropriate waste receptacle; or

- e) fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under section 36;
- 2) Every person commits an offence who discharges a substance in or on a local authority area or conservation land in circumstances where the discharge of the substance is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it—
 - a) has, or is likely to have, a significant adverse effect on the environment; or
 - b) has caused, or is likely to cause, significant concern to the community or users of the area or land.
 - 3) Every person commits an offence—
 - a) who, while an enforcement officer is carrying out his or her functions and duties under this Act,—
 - i) intentionally prevents the officer from carrying out those functions and duties; or
 - ii) obstructs or impedes the officer; or
 - iii) assaults, threatens, or intimidates the officer; or
 - iv) uses language that is abusive or threatening to the officer; or
 - v) behaves in a threatening manner towards the officer; or
 - b) who incites any other person to do any act referred to in paragraph (a).
 - 4) In this section, waste receptacle means a receptacle or facility that is provided by a local authority or the Department for the purposes of disposing of waste (for example, a rubbish bin, public toilet, or bulk waste disposal unit).

9.0 PENALTIES

[Section 23 of the Freedom Camping Act 2011]

- 1) A person who commits an infringement offence is liable to the following fee:
 - a) the amount prescribed by regulations made under section 43 as the infringement fee for the offence; or
 - b) \$200, if no fee is prescribed in accordance with paragraph (a).
- 2) Each offence is separable and individually subject to separate fines. A person who commits an
- 3) infringement offence is liable to a \$200 infringement fee for each offence.
- 4) A person who is convicted of an offence against section 20(2) is liable to a fine not exceeding \$10,000.
- 5) A person who is convicted of an offence against section 20(3) is liable to a fine not exceeding \$5,000.

10.0 UPDATES AND REVIEWS

Sections 8.0 and 9.0 are extracts from the Freedom Camping Act 2011 and as such may be updated in this document without prior notice should those sections in the Act be amended.

Any Restricted Areas and Prohibited Areas shall be reviewed annually to consider any new information regarding the effects of freedom camping.

11.0 STATUS OF THE BYLAW:

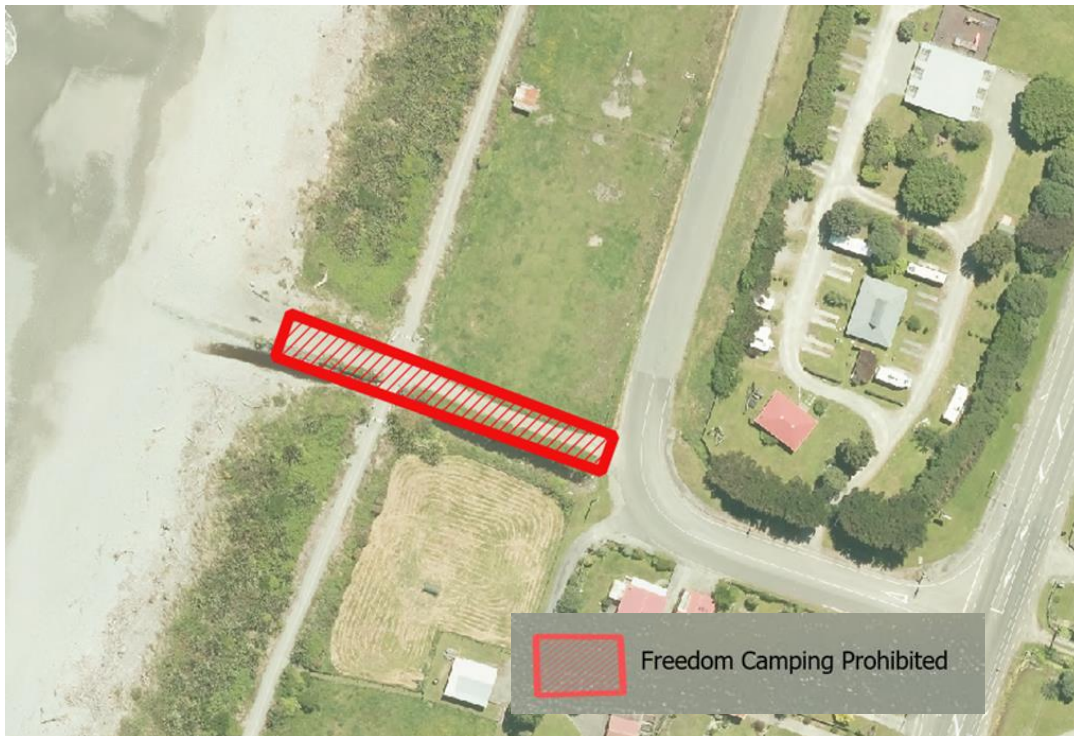
Where any provision in a Council Bylaw, Policy or practice document conflicts with any provision contained herein or otherwise creates any confusion, the provisions of the Bylaw will take precedence.

Schedule 1 –PROHIBITED AREAS ON COUNCIL CONTROLLED LAND FOR FREEDOM CAMPING

All forms of Freedom Camping are prohibited in these Local Authority Areas without prior written consent of The Council

All areas as mapped in Map 1-10

Map 1 - Jacks Road all beach accesses off Jacks Road, as identified in the maps.



Map 2 - The Iveagh Bay area in its entirety with the exception of the area set aside for Responsible Freedom Camping in the aerial map.



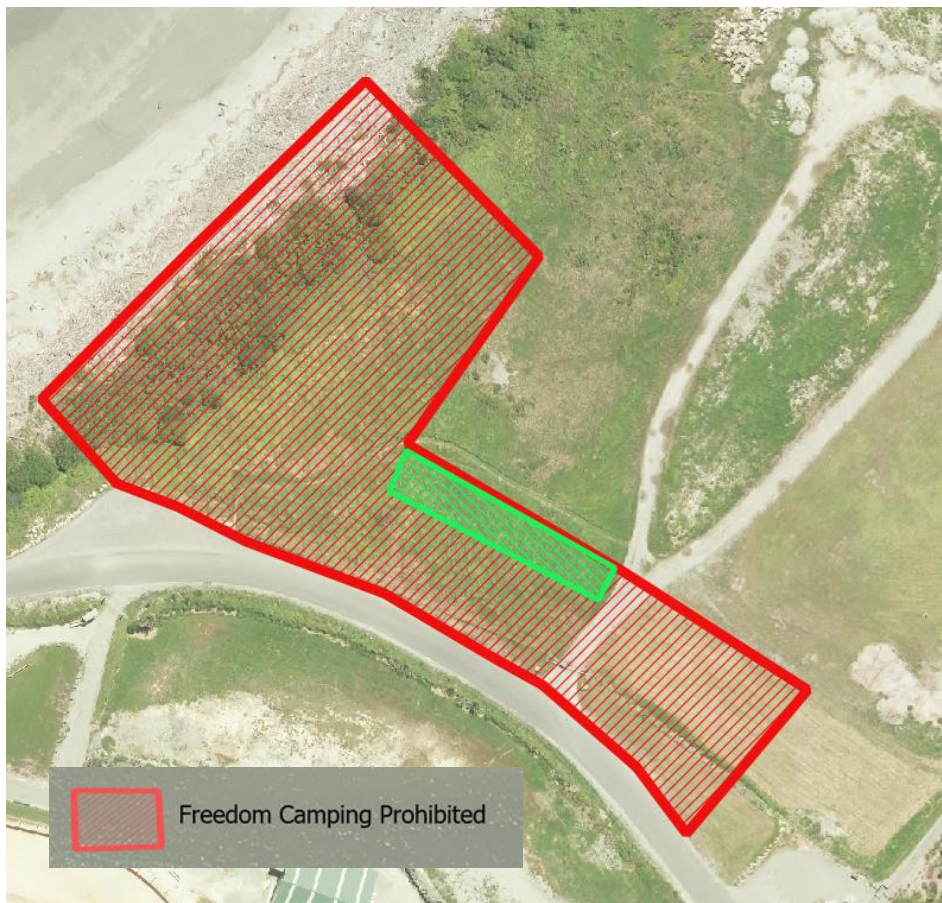
Map 3 – Moana - Lake Brunner Foreshore and all lake accesses in the area identified in the map.



Map 4 - Cobden Breakwater and Sanctuary area in its entirety, with the exception of the area made available for Responsible Freedom Camping at the Cobden Breakwater carpark marked in green in **Map 4b**.



Map 4b



Map 5 - Cobden Foreshore through to Point Elizabeth Track Parking Area including all beach accesses.



Map 6 - All Rapahoe, including parking areas at the Point Elizabeth Track, parking and beach accesses and including the recreational reserve area.



Map 7 - McEwen Park area on Hilton Street, Clifford Street and Wilson Street, Blackball.



Map 8 - McMillan Road area and Colville Close areas as marked, south of the Punakaiki River including all river accesses.



Map 9- Cobden Bridge area as marked near the boat ramp.



Map 10 - Blaketown Tip head Toilet and Carpark area as marked.



Schedule 2 - REGISTERED MOTORHOME PARKS

Challenge Service Station Motor Camp

Coast Autos
Tainui Street, Greymouth

Greymouth Seaside Top 10 Holiday Park

2 Chesterfield Street, Greymouth

Lake Brunner Country Motel, Cabins & Campervan Park

2014 Arnold Valley Road, Moana

Lake Brunner Motor Camp

86 Ahau Street, Moana

Rapahoe Beach Motor Camp

10 Hawken Street, Rapahoe

Kiwi Holiday Park & Motel

318 Main South Road, Greymouth

Schedule 3 – GREY DISTRICT DUMP POINT LOCATIONS

Blackball Public Dump Station

Located at Blackball Recreation Reserve in South Town Belt

Cobden Public Dump Station

Reserve at north end of Cobden Bridge, Cobden, Greymouth

Greymouth Dump Station

Coast Autos

Tainui Street, Greymouth

Greymouth Seaside Top 10 Holiday Park

2 Chesterfield Street, Greymouth

Lake Brunner Country Motel, Cabins & Campervan Park

2014 Arnold Valley Road, Moana

Lake Brunner Motor Camp

86 Ahau Street, Moana

Nelson Creek Public Dump Station

Nelson Creek Domain, Nelson Creek

Rapahoe Beach Motor Camp

10 Hawken Street, Rapahoe

Runanga Public Dump Station

Pitt Street, Runanga

Kiwi Holiday Park & Motel

318 Main South Road, Greymouth

NOTE: Charges may apply at some of these sites.